PATENT COOPERATION TREATY

PCT

REC'D 15 JUL 2005

INTERNATIONAL PRELIMINARY REPORT ON PATEN

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P017884WO	FOR FURTHER ACTI	ON	See Form PCT/IPEA/416		
	International filing date (day	/month/year)	Priority date (day/month/year)		
International application No. PCT/GB2004/003790	06.09.2004		29.09.2003	_	
International Patent Classification (IPC) or national classification and IPC					
B05B11/00					
Applicant				\	
BESPAK PLC et al.					
to a liminary examination report established by this International Preliminary Examining					
Authority under Article 35 and transmitted to the applicant described.					
This was at its also accompanied by ANNEXES, comprising:					
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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No. PCT/GB2004/003790

_	Box No. I Basis of the report				
1.	With regard to the language , this report is based on the international application in the language in which it was iled, unless otherwise indicated under this item.				
	which is the language of a tra	ional application (under Hule 12.4)			
	international preliminary examination (under Hules 55.2 and/or 55.3)				
2.	have been furnished to the receil	th regard to the elements* of the international application, this report is based on <i>(replacement sheets which</i> ve been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this port as "originally filed" and are not annexed to this report):			
	Description, Pages				
	1-5	as originally filed			
	Claims, Numbers				
	1-7	received on 11.04.2005 with letter of 04.04.2005			
	Drawings, Sheets	Drawings, Sheets			
	1/3-3/3	as originally filed			
	☐ a sequence listing and/or ar	ny related table(s) - see Supplemental Box Relating to Sequence Listing			
3	. The amendments have res	ulted in the cancellation of:			
	☐ the description, pages☐ the claims, Nos.				
	☐ the drawings, sheets/figs	s "			
	☐ the sequence listing (sp☐ any table(s) related to s	ecity): equence listing (specify):			
4	 This report has been estabhad not been made, since they Supplemental Box (Rule 70.2(c) 	lished as if (some of) the amendments annexed to this report and listed below have been considered to go beyond the disclosure as filed, as indicated in the)).			
	 □ the description, pages □ the claims, Nos. □ the drawings, sheets/fig □ the sequence listing (space) □ any table(s) related to separate 	s pecify): sequence listing <i>(specify)</i> :			
		some or all of these sheets may be marked "superseded."			

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No. PCT/GB2004/003790

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

2-3 Yes: Claims Novelty (N)

Claims 1,4-7 No:

Yes: Claims Inventive step (IS)

1-7 Claims No:

1-7 Yes: Claims Industrial applicability (IA)

Claims No:

2. Citations and explanations (Rule 70.7):

see separate sheet

Re Item V.

- The following document is referred to in this communication:
 D1: WO 02/094708 A (COHEN BEN Z; SCHULTZ ROBERT S (US)) 28
 November 2002 (2002-11-28)
- 2 INDEPENDENT CLAIM 1
- 2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

 Document D1 discloses (the references in parenthesis applying to this document):

A hand-held multi-dose dispensing apparatus (Fig: 21; 1100) comprising a metering chamber (Fig: 21; 1122, 1124) having an axis (Fig: 21), an end portion (Fig: 21; Y, 1106) at one axial end of the chamber and a side body portion (Fig. 21; 1134, X, 1126) extending from the axial end portion, a piston arrangement (Fig: 21; 1108, 1132) movable with a piston stroke along the axis of the metering chamber with a seal portion (Fig: 21; 1130) of the piston arrangement being slidably engageable with an inside surface of a side portion (Fig: 21; X; Paragraph: 90) of the metering chamber, an inlet (Fig: 21; 1122, 1126; Paragraph: 89) for fluid to enter the metering chamber, and an outlet (Fig: wherein the inlet 21; 1106) for fluid to be dispensed from the metering chamber, 1130) of the metering is provided on the side body portion (Fig: 21; 1122, 1126, piston stroke, the inlet is in chamber and, in use, during the first portion of the (Fig: 21) and during a second fluid communication with the metering chamber the piston arrangement blocks the portion of the piston stroke, the seal portion of the inlet into the metering chamber inlet preventing fluid from passing from arrangement (Fig: 21; 1108, 1132) (Paragraph: 93), and wherein the piston 1146) and a piston seal (Fig: 21; 1130), comprises a first portion (Fig: 21; 1132, slidably engage and seal against the the piston seal being arranged to (Paragraph: 90) and to be slid over the first inside surface of the metering chamber (Fig: 21; 1130, 1146, 1136; Paragraph: 93), portion of the piston arrangement portion of the piston stroke when the pressure in such that during the second

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (SEPARATE SHEET)

International application No.

PCT/GB2004/003790

the metering chamber piston seal slide relative to (Paragraph: 93).

exceeds a particular level, the first portion and the each other to open an outlet for fluid to be dispensed

- 3 INDEPENDENT CLAIM 7
- 3.1 The independent claim 7 is it not allowable since it does not meet the criteria of Rule 6.2 PCT.
- DEPENDENT CLAIMS 2-6
 Dependent claims 2-6 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT); see document D1 and the text/figures indicated in the search report.
- 5 INDUSTRIAL APPLICABILITY
 Claims 1-6 have industrial applicability in dosing apparatus.